



STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
DELAWARE HARNESS RACING COMMISSION
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Minutes of the Rule Committee Meeting Held February 2, 2010

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The Rules Committee met for a meeting at the Department of Agriculture
in Dover, Delaware at 10:15 a.m. on Tuesday, August 4, 2009.

Committee Members Present

Beth Steele, Chairman	Charles Lockhart, VP, Horse Racing, D. Downs
Karen Craft, Facilities Manager, HRI	Hugh J. Gallagher, Administrator of Racing
Salvatore DiMario, Executive Director, DSOA	John Hensley, Sr. Dir., Horse Racing, D. Downs
Andrew Kerber, DAG, Commission Counsel	Jim Boese, HRI

Others Present

Brian Manges, DHRC Investigator	Patt Wagner, DHRC Commissioner
Scott Egger, Presiding Judge	Donna Krol, DHRC Inspector

CALL TO ORDER & WELCOME

Chairman Steele called the public session of the meeting to order at 10:17 a.m. and welcomed those in attendance.

APPROVAL OF MINUTES

Chairperson Steele moved to approve the January 19, 2010 Minutes as written. Mr. Jim Boese seconded, the Motion passed unanimously.

OLD BUSINESS

None

NEW BUSINESS

SUBSTANCE ABUSE RULE 5.0 LICENSEES

Review of Rule 5.0 Proposed changes from Scott Egger. Need clarification on 1st, 2nd & 3rd offenses. The original

Rule goes from the 1st offense to the 3rd offense- does not explain second offense. Mr. Lockhart would like clarification on the second offense. Mr. Lockhart is concerned with the potential problem that if a person is on a prescription and is okay to sit at a desk, but are they okay to drive a 1200 pound animal on a track going 30 mph? This could endanger others as well as the integrity of the sport. Hugh Gallagher presented a copy of the procedure for State Employees for reference. Commissioner Wagner would like to review what a Professional Assessment is, and Karen Craft brought up the issue of HIPA. Sal DiMario feels this rule is fertile with land mines, if it is

not handled in the right way many problems could occur. Sal will look at the pre set rules from other state agencies and refer back to Andrew Kerber Andrew Kerber feels this is not the right way to do this , this is not a crisis-the rules are working. Andrew did proposed changes as well, Scott's changes were more indepth. . In Scott Egger's handout- take out 5.1.8.8 to 5.1.8.15. Upon discussion and review of both Andrew's and Scott's proposed changes , the committee decided to form a Sub Group to rework Rule 5.0. Andrew Kerber will work with Sal Dimario, Scott Egger & Commissioner Wagner. Andrew Kerber will propose a final copy to all 1 week prior to next Rules

Committee Meeting. The next Rules Committee Meeting is scheduled for 2-23-10, final copy should be available for review by 2-16-10.

STARTING RULES RULE 7.6.6.7.7

Scott Egger is currently in hearings where he is being told by drivers that it does not specifically say in the rules to stay on the gate. Scott proposes wording on Rule 7.6.6.7.7 be changed to read: Failure to come up in to position and stay in position behind the starting gate until the word "go" is given.

Jim Boese made a motion to adopt this change, Chairperson Steele seconded. All were in favor.

Paddock Passes

Continuing discussion on the decision to eliminate Paddock Passes. Hugh Gallagher expressed his opinion that all persons in the Paddock should be licensed. Petition from Trainers & Drivers to allow people on day passes. Both

Charles Lockhart & John Hensley disagree. The Paddock is a working area, people who are not licensed to be there do not belong in the paddock or the lounge area, they belong in the Grandstand. Policy to be written on Passes and put before the Commission. Policy should cover Media Passes & , Trainers with owners.

Purses

Sal Dimario opened discussion on Purses being held due to appeals. When a race is re-placed, all position checks are held until appeal is heard and case is reviewed. This can take years to be completed. Process is as follows: Race Re-Placement, Hearing Notice delivered, Hearing, Ruling and Appeal to Ruling. Horsemen would like to see the checks released immediately and not wait for the appeal process. Chairperson Steele agreed, we should release the original race checks and hold the ones in question. Charles Lockhart said this could be possible, would have to do a manual

transaction. Will need clear direction from Judges for the audit trail because they would be overriding the system. John Hensley will need written order from the Judges to release the monies , and why it is being done. Scott Egger has agreed to this.

UPCOMING EVENTS

DHRC Meeting

02/09/10 Meeting cancelled – will be rescheduled

Rules Committee

Upcoming Rules Meeting scheduled for 02/23/10

ADJOURNMENT

At 11:30 am, having no further business, Beth Steele moved to adjourn, Jim Boese seconded, and the Motion passed unanimously.

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